



VIRTUAL DESIGN PUBLIC HEARING

October 26, 2020

FOR THE PROPOSED

**Bearse's Way Shared Use Path
Project No. 609067**

IN THE TOWN OF Barnstable, MASSACHUSETTS

**COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

**JONATHAN GULLIVER
HIGHWAY ADMINISTRATOR**

**PATRICIA A. LEAVENWORTH, P.E.
CHIEF ENGINEER**

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION – HIGHWAY DIVISION
NOTICE OF A PUBLIC HEARING
Project File No. 609067

A Virtual Design Public Hearing will be published on the MassDOT website below to present the design for the proposed Bearse's Way Shared Use Path project in Barnstable, MA.

WHEN: October 26, 2020

PURPOSE: The purpose of this hearing is to provide the public with the opportunity to become fully acquainted with the proposed Barnstable – Bearse's Way Shared Use Path project. All views and comments submitted in response to the hearing will be reviewed and considered to the maximum extent possible.

PROPOSAL: This project proposes to construct a shared use path along the west side of Bearse's Way from the intersection of Bearse's Way at Route 28 to the intersection of Bearse's Way at Pitcher's Way in the Town of Barnstable. The proposed shared use path will provide a connection between existing shared use paths on the north and south. The shared use path will accommodate pedestrian, bicycle, and other non-motorized transportation/recreation. The project will include associated utility improvements along the path and roadway. Bicycle accommodations consisting of a 10' shared use path will be provided in accordance with applicable design guides.

A secure right-of-way is necessary for this project. Acquisitions in fee and permanent or temporary easements may be required. The Town of Barnstable is responsible for acquiring all needed rights in private or public lands. MassDOT's policy concerning land acquisitions will be presented in the hearing.

Written statements and other exhibits regarding the proposed undertaking are to be submitted to Patricia A. Leavenworth, P.E., Chief Engineer, MassDOT, 10 Park Plaza, Boston, MA 02116, Attention: Project Management, Project File No. 609067. Mailed statements and exhibits intended for inclusion in the public hearing/meeting transcript must be postmarked no later than ten (10) business days after the hearing is posted to the MassDOT website listed below. Project inquiries may be emailed to dot.feedback.highway@state.ma.us.

This hearing is accessible to people with disabilities. MassDOT provides reasonable accommodations and/or language assistance free of charge upon request (e.g interpreters in American Sign Language and languages other than English, live captioning, videos, assistive listening devices and alternate material formats), as available. For accommodation or language assistance, please contact MassDOT's Chief Diversity and Civil Rights Officer by phone (857-368-8580), TTD/TTY at (857) 266-0603, fax (857) 368-0602 or by email (MassDOT.CivilRights@dot.state.ma.us). Requests should be made as soon as possible prior to the meeting, and for more difficult to arrange services including sign-language, CART or language translation or interpretation, requests should be made at least ten business days before the hearing.

This Virtual Design Public Hearing or a cancellation announcement will be posted on the internet at www.mass.gov/massdot-highway-design-public-hearings.

JONATHAN GULLIVER, HIGHWAY ADMINISTRATOR

PATRICIA A. LEAVENWORTH, P.E., CHIEF ENGINEER



Dear Concerned Citizen:

The Massachusetts Department of Transportation (MassDOT) is committed to building and maintaining a transportation infrastructure that is both safe and efficient for all who use our roadways, bridges, bicycle facilities and pedestrian paths, while maintaining the integrity of the environment.

As part of the design process for this project, we are conducting this public hearing to explain the proposed improvements, listen to your comments and answer any questions you may have. At the conclusion of the hearing, MassDOT will review all of your comments and, where feasible, incorporate them into the design of the project.

We recognize that road and bridge construction can create inconveniences for the public. MassDOT places a great deal of emphasis on minimizing the temporary disruptive effects of construction.

MassDOT encourages input from local communities and values your opinions. Please be assured that we will undertake no project without addressing the concerns of the community.

Sincerely,

Patricia A Leavenworth, P. E.
Chief Engineer

WHAT IS A PUBLIC HEARING?

WHY A PUBLIC HEARING?

To provide an assured method whereby the Commonwealth of Massachusetts can furnish to the public information concerning the State's highway construction proposals, and to afford every interested resident of the area an opportunity to be heard on any proposed project. At the same time, the hearings afford the Commonwealth an additional opportunity to receive information from local sources which would be of value to the State in making its final decisions to what design should be advanced for development.

WHY NOT A VOTE ON HIGHWAY PLANS?

The hearings are not intended to be a popular referendum for the purpose of determining the nature of a proposed improvement by a majority of those present. They do not relieve the duly constituted officials of a State highway department of the necessity for making decisions in State highway matters for which they are charged with full responsibility.

WHAT DOES A PUBLIC HEARING ACCOMPLISH?

It is designed to ensure the opportunity for, or the availability of, a forum to provide factual information which is pertinent to the determination of the final alternative considered by the state to best serve the public interest, and on which improvement projects are proposed to be undertaken.

It is important that the people of the area express their views in regard to the proposal being presented, so that views can be properly recorded in the minutes of the meeting. These minutes will be carefully studied and taken into consideration in the determination of the final design.

RIGHT OF WAY CONCERNS

Your Municipality is responsible for securing the right of way for this project. If your property, or a portion of it, must be acquired by the Municipality for highway purposes in the interest of all people of the Commonwealth, your rights are fully protected under the law. Briefly, here are some of the answers to questions you might ask.

1. REASON FOR PROJECT

The completion of this project will serve local needs. The proposed enhancement will also be in the interest of others in the greater community, and provide for the public good.

2. WHO CONTACTS ME?

Representatives of the municipality have already contacted or will contact you. They will explain the procedures used in acquiring any necessary rights in land.

3. WHAT ABOUT DONATIONS? WHAT IS A RIGHT OF ENTRY?

Town officials will often seek donations, of parcels, where permanent rights are required. This procedure will minimize the acquisition cost for your community.

A Right of Entry is a document that is signed by the owner. It allows the Contractor to perform certain types of work on the owner's land. The work is usually minor in nature and frequently consists of loaming/seeding behind sidewalks, new driveway apron work, grading/sloping, and wetland protection, etc. The rights granted are temporary in nature.

4. WHAT IS A FAIR PRICE FOR THE ACQUIRED PARCELS?

In the event that donations are not considered, or completed, every effort will be made to ensure that an equitable value is awarded. Municipal and/or outside appraisers will complete an appraisal. Consideration is given to the type of rights needed, whether in fee, permanent or temporary easements. The appraisal will be the basis for arriving at a fair price (for damages that result).

5. MUST I ACCEPT THE MUNICIPALITY OFFER?

No, if the owner feels that the offer is not fair the owner may petition the courts. This action does not stop or delay the acquisition. The action must occur within 3 years. The owner(s) may be paid pro tanto (for the time being). The pro tanto payment will not prejudice the court's final decision.

Bearse's Way Shared Use Path Barnstable (Hyannis), MA



PROJECT LOCATION

The project includes the construction of a shared use path from the Barnstable Department of Public Works yard driveway to Pitcher's Way in Barnstable (Hyannis) for 0.75 miles, and as shown on the above locus map.

PROJECT PURPOSE

This project proposes to connect the recently constructed shared use path at the northern limit of MassDOT Project No. 606394 at the Town DPW yard drive with the existing shared use path that begins at Pitcher's Way and continues north along Bearse's Way. Bicycle accommodations consisting of a 10' bikeway have been provided in accordance with applicable design guides.

PROPOSED IMPROVEMENTS

The work under this Contract consists of the construction of a 10 foot wide paved travel surface, 3 foot shoulders, pedestrian scale lighting and linear stormwater best management practices (BMPs) along the path alignment. An at-grade roadway crossing is proposed at Pitcher's Way.

Additional work includes unclassified excavation, pavement mill and overlay, full depth hot mix asphalt pavement, hot mix asphalt walks and driveways, cement concrete wheelchair ramps, granite curb, pavement markings, signs, drainage, water and sewer utility improvements, landscaping and other incidental work.

TRAFFIC MANAGEMENT

A majority of the work will occur beyond the shoulder of Bearse's Way and will not impact any existing pedestrian or bicycle facilities. Work in the vicinity of Pitcher's Way and work related to the in-road portion of the sewer installation will require Police details during active construction activities.

RIGHT OF WAY IMPACTS

Temporary and permanent easements will be required along the length of the project to accommodate the proposed work. Easements that are needed will be on a combination of public and private land. This includes six temporary construction easement and eleven permanent easements for the shared use path and utilities. No takings will be required. The proposed improvements will require temporary easements for minor grading impacts and for future operations and maintenance of the path. The Town of Barnstable is responsible for acquiring all needed rights in public and private lands. MassDOT's policy concerning land acquisition will be discussed at this hearing.

PROJECT COST

The preliminary construction cost of this project at this design stage is approximately \$1,100,00.00

PROJECT SCHEDULE

The design plans presented are at the 25% design stage. Design, permitting, and right of way acquisition must be completed by March 2022. Construction is anticipated to begin in the Fall of 2022.

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

FEDERAL AID PROJECT

Barnstable, MA
Bears'e's Way Shared Use Path
Project File No. 609067

This sheet is provided for your comments. Your input is solicited and appreciated. Please mail this sheet with any additional comments to:

Patricia A. Leavenworth, P.E., Chief Engineer
MassDOT – Highway Division
10 Park Plaza, Boston, MA 02116-3973

Attn: Project Management

The final date for receipt of written statements and exhibits for inclusion into the official hearing transcript will be ten (10) days after the Hearing.

PLEASE TYPE OR PRINT LEGIBLY.

Name: _____ Title: _____

Organization: _____

Address: _____

Please Fold and Tape



Please Place
Appropriate
Postage Here

Patricia A. Leavenworth, P.E.
Chief Engineer
MassDOT – Highway Division
10 Park Plaza
Boston, MA 02116-3973

RE: Virtual Public Hearing
Bears' Way Shared Use Path
Barnstable, MA
Project File No. 609067
Insert section: Project Management

